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HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Regional arrangements for the promotion and protection of human rights

Report of the Secretary-General in accordance with paragraph 10 of General Assembly resolution 45/167

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I. INTRODUCTION

1. In its resolution 45/167 of 18 December 1990, entitled "Regional arrangements for the promotion and protection of human rights", the General Assembly, "bearing in mind that regional instruments should complement the universally accepted human rights standards", inter alia, noted with interest "that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities". The Assembly also welcomed "in that respect the close cooperation given by the Centre for Human Rights of the Secretariat in the organization of the training courses or workshops" and had provided assistance "in the establishment of the African Centre for Democracy and Human Rights Studies at Banjul"; it thus welcomed "the cooperation of the Centre with the Economic and Social Commission for Asia and the Pacific, the International Institute of Human Rights at Strasbourg and the Inter-American Institute of Human Rights at San José, and the technical assistance provided by the Centre to the Arab Institute for Human Rights at Tunis". The Assembly requested the Secretary-General to continue encouraging these developments.

2. In the same resolution the General Assembly invited "States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights". The Assembly also endorsed "the appeal made to all Governments" by the Commission on Human Rights "to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel". The Assembly also requested "the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations". The Assembly invited "the Secretary-General to submit to the Commission on Human Rights at its forty-eighth session and to the General Assembly at its forty-seventh session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution". This report is submitted to the General Assembly in response to its invitation to the Secretary-General.

II. ACTION TAKEN BY THE COMMISSION ON HUMAN RIGHTS

3. In the light of the consideration of the question of regional arrangements for the promotion and protection of human rights, the Commission on Human Rights 1/ adopted at its forty-eighth session two resolutions in which it made recommendations and took decisions to facilitate the strengthening of regional machinery for the promotion and protection of human rights: resolution 1992/40 concerning regional arrangements for the promotion and protection of human rights in the Asian and Pacific region and resolution

1992/52 concerning regional arrangements for the promotion and protection of human rights.

4. In its resolution 1992/40 the Commission requested "the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific", and appealed "to all Governments in the Asian and Pacific region to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services and technical assistance in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs". The Commission decided to continue its consideration of the question at its forty-ninth session.

5. In its resolution 1992/52 the Commission invited "States in areas where regional arrangements in the field of human rights do not exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights", and requested "the Secretary-General, as foreseen in the medium-term plan for the period 1992-1997, to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights".

6. During the consideration of the question of regional arrangements for the promotion and protection of human rights, members of the Commission agreed to recognize the need to establish, especially in areas where they do not yet exist, national and regional centres for documentation, education, training and advice with regard to human rights and democracy. It was emphasized, moreover, that assistance must be given to the Governments of the developing countries and the countries in transition in the establishment of the necessary machinery for the application of international human rights standards. It was suggested that the Centre for Human Rights should be the transmitting point for an extensive programme of information, education, training and documentation with a view to strengthening national and regional institutions and infrastructures.

7. Several members stressed the need to encourage, in the Asian and Pacific region, the development of better cooperation among regional and international institutions concerned with the universal promotion of human rights. It was noted that any prominence given to the international and universal human rights instruments through regional arrangements stimulated the optimal operation of promotion and monitoring machinery and must be of benefit to those affected.

8. It was noted that technical assistance, in particular the programme financed from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights should logically help to strengthen the existing national and regional institutions and encourage the creation of other institutions in areas where they do not yet exist. These national and

regional institutions would be designed to promote and guarantee the application of international human rights standards.

9. During the discussion in the Commission, some members referred to the establishment of national institutions for the promotion and protection of human rights in their countries. It was also reported that various advisory human rights bodies had been created.

III. COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL BODIES AND COMMISSIONS

10. The Centre for Human Rights pursued and strengthened its contacts and cooperation with the established regional organizations in the field of human rights, namely the African Commission on Human and Peoples' Rights of the Organization of African Unity (OAU), the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights of the Organization of American States (OAS), and the European Commission on Human Rights and the European Court of Human Rights, with a view to exchanging information on the topic. The Centre for Human Rights also collaborated with other institutions and organizations, such as the Commonwealth Secretariat Human Rights Unit, the International Institute of Human Rights at Strasbourg, France, the International Institute of Humanitarian Law at San Remo, Italy, the Inter-American Institute of Human Rights at San José, the Andean Commission of Jurists at Lima, the African Centre for Democracy and Human Rights Studies at Banjul, the Arab Institute for Human Rights at Tunis, the International Centre for Sociological, Penal and Penitentiary Research and Studies at Messina, Italy, the International Institute for Higher Studies in Criminal Science at Siracusa, Italy, the Institute Henri Dunant at Geneva, the Raoul Wallenberg Institute of the University of Lund, Sweden, and the United Nations Economic and Social Commission for Asia and the Pacific. Information was exchanged between the United Nations and the regional organizations regarding the status of ratifications of international human rights instruments developed under each system; and contact was established between the Centre for Human Rights and the Council of Europe, OAS and OAU with a view to collecting the texts of regional instruments on human rights.

A. Africa

11. Cooperation between the United Nations and the African regional system was promoted by means of seminars, training courses and workshops organized by the Centre for Human Rights in cooperation with the African Commission on Human and Peoples' Rights, the Raoul Wallenberg Institute, the United Nations Interregional Crime and Justice Research Institute and the International Institute of Humanitarian Law. There were, for example, the Training Course for French-speaking African Countries held at San Remo, Italy, from 11 to 15 March 1991, the International Seminar on Human Rights Standards and the Administration of Justice held at Cairo from 8 to 12 July 1991, with the participation of 41 African countries, the Human Rights Workshop held at

Windhoek from 18 to 24 February 1991, and the workshop on the teaching of human rights for Portugal and six Portuguese-speaking African countries, held at Lisbon from 8 to 12 April 1991. The Centre also continued its programme of technical cooperation with the African Commission on Human and Peoples' Rights, the African Centre for Democracy and Human Rights Studies at Banjul, and the Arab Institute for Human Rights at Tunis.

12. In addition to the ongoing cooperation activities between the Centre and the African Commission on Human and Peoples' Rights, the Centre also made arrangements for the Chairman of the African Commission to address the Commission on Human Rights on the work of that OAU organ, and representatives of the Centre attended the two sessions of the African Commission held at Lagos in April 1991 and at Banjul in October 1991. In the continuing efforts to help the African Commission to build up its activities, the Centre and the African Commission signed a technical cooperation agreement which has provided funds for the Commission to finance basic equipment and for the recruitment of a legal officer, a librarian and a trainee to help the Secretary of the Commission. The agreement foresees institution-building support for the establishment of the necessary infrastructure to assist the African Commission in its promotion and protection activities, in particular the creation of an information and documentation centre responsible for, inter alia, the dissemination of information on the African Charter and the work of the Commission; the collection of relevant documents on the African Commission's activities, as well as activities of other national, regional and international human rights bodies; the collection of national legislations and judicial decisions in Africa; the organization of seminars, symposia and courses; the provision of assistance to national institutions in Africa, as well as to African non-governmental organizations in the field of human rights; research studies; and the exchange of information with other human rights centres and institutions at the national, regional and international levels.

13. As part of its programme of cooperation with the Government of the Gambia started in 1989 and continued in 1991, the Centre formulated for the African Centre for Democracy and Human Rights Studies a detailed programme with specific human rights projects. In this connection it is worth mentioning that in 1991 the Centre for Human Rights provided books and documentation on human rights to assist the African Centre in its training activities. In order to avoid overlapping, this assistance is coordinated with similar activities aimed at setting up a documentation centre for the African Commission on Human and Peoples' Rights. In 1991 the Centre for Human Rights continued to provide equipment and finance promotional activities allowing the Director of the African Centre and his deputy to raise funds.

14. The Centre for Human Rights has also financed the participation of the Director of the African Centre in meetings such as the International Seminar on Human Rights Standards and the Administration of Justice held at Cairo in July 1991.

15. During 1991 the Centre for Human Rights continued to collaborate with the African Centre in all its activities by providing resource persons to participate in training courses and by taking part in the work of the governing body of the African Centre.

16. The Centre for Human Rights, within the programme of advisory services and technical assistance in the field of human rights, has sought ways of providing assistance to those working for a united, non-racial and democratic South Africa pursuant to the request of the General Assembly. After extensive consultation and in close cooperation with the Centre against Apartheid, the Centre for Human Rights and the World Council of Churches decided to organize a seminar on international human rights standards and constitutional law. The purpose of the Seminar was to bring together specialists from South Africa involved in the preparations for the drafting of a new constitution and international experts to explore how international human rights standards can be expressed in constitutional law.

17. The Seminar took place at Geneva from 17 to 20 June 1991. Thirty-three participants from South Africa involved in the development of a new constitutional structure in that country took part in their personal capacities; they came from a broad spectrum of South African society. Ten outstanding international experts were invited to present papers and lead the discussions on international human rights norms and how they can be included in constitutional law. Issues addressed included: international human rights standards and constitutional law with special reference to the independence of the judiciary; constitutional protection of internationally guaranteed economic, social and cultural rights; national institutions for the protection and promotion of human rights: the ombudsman; constitutional protection of internationally guaranteed civil and political rights; constitutional guarantees for human rights including judicial remedies; constitutional law, equality, non-discrimination and the elimination of all forms of racial discrimination; constitutional protection of the rights guaranteed by the International Labour Code; constitutional protection of the rights of the minorities; constitutional guarantees for the independence of the judiciary in common law countries; and constitutional protection of human rights promoted by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

18. In 1990, the present Government of Lesotho decided to hold elections - the previous elections had taken place in January 1970 - and to convene a National Constituent Assembly to draft a new constitution. The Government expressed its earnest wish that the 1992 elections should meet international standards of free and fair elections and requested the Centre for Human Rights to provide advice and comment on the electoral law of the country, advice and assistance in drafting instructions to polling stations, and advice and assistance in drafting instructions to voters, describing the steps involved in casting a valid vote; and to make suggestions on activities incidental to the holding of democratic, free and fair elections.

19. The Centre for Human Rights therefore organized a mission to Lesotho from 25 to 30 November 1991 by a team of three international experts and a staff member of the Centre for Human Rights to provide advisory services regarding the legal and technical aspects of democratic elections. The team discussed the following matters during its mission:

(a) Revision of legal texts (the draft electoral law, relevant parts of the draft constitution, draft code of conduct, etc.);

(b) Steps taken and those planned to implement texts and organize the elections: appointment of a chief electoral officer, appointment and training of staff, instructions to officials, constituency delimitation, absentee voters;

(c) Freedom of expression, press, movement, association and assembly, equitable access to media, atmosphere of free political activity, etc.;

(d) Concrete assistance needs: computers, printing of registration forms and ballot papers, outside expert assistance in legal drafting, funding for the chief electoral officer, etc.

20. Within the technical assistance programme established by the Centre for Human Rights, it was planned to provide training on electoral issues in Zambia for two Lesotho nationals and to organize a one-week seminar on free and fair elections and human rights in a democratic society.

21. During 1992, the Centre for Human Rights, in cooperation with the International Institute of Humanitarian Law at San Remo, organized a regional training course on the implementation of international human rights instruments and the administration of justice from 9 to 13 March 1992, in which 28 African countries participated. In cooperation with the Government of Swaziland, the Centre for Human Rights organized a training course on the application of international norms in the field of human rights. The course was held at Mbabane, Swaziland, from 18 to 22 May 1992. Its purpose was to help the Government of Swaziland strengthen national institutions for the promotion and protection of human rights and to encourage it to ratify those international human rights instruments which had not yet been ratified.

22. The Centre for Human Rights plans to organize a subregional seminar on the stakes and challenges confronting human rights in the Central African subregion, to be held at Yaoundé, Cameroon, with the participation of 11 countries of Central Africa. The purpose of the seminar will be to facilitate networking with a view to assessing requirements and harmonizing efforts to promote human rights in the countries of the subregion. In the context of the World Conference on Human Rights to be held in 1993, the African Group decided to organize a preparatory meeting at Tunis, Tunisia, from 2 to 6 November 1992, which will evaluate the progress achieved in Africa and strengthen machinery for the monitoring and supervision of covenants, conventions and other international human rights instruments.

23. In the light of the evolving situation in South Africa, the Centre has received an increasing number of requests in recent months for technical assistance in the promotion of human rights. Within the framework of the consensus established by the 1989 Declaration and other General Assembly resolutions, the Centre has sought various ways to help build a united, democratic and non-racist South Africa.

24. In response to the many requests it has received to enable persons directly affected by the situation in South Africa to pursue advanced studies in the field of human rights, the Centre for Human Rights, in consultation with the Centre against Apartheid and the World Council of Churches, invited eight South Africans to participate in the annual advanced training seminar on human rights in July and August 1992; the South Africans were young professionals who were personally involved in humanitarian activities in South Africa. Together with some 50 students from 40 other countries, they participated in the annual course at the International Institute of Human Rights at Strasbourg. They also participated in the work of the Subcommission on Prevention of Discrimination and Protection of Minorities.

25. The Centre for Human Rights took part in the seminar on the social and economic problems of South Africa and the future role of the United Nations in South Africa. The seminar was held at Windhoek from 22 to 24 May 1992. The Centre distributed a background document on the contribution of the programme of advisory services and technical assistance in the field of human rights for the purpose of building a united, democratic and non-racist South Africa.

26. In the implementation of humanitarian projects in South Africa, the Centre for Human Rights endeavours to ensure the broadest possible participation by South Africans and, in particular, by persons belonging to the most disadvantaged segments of South African society; the Centre thus has been urging that projects be broadened to permit increased participation by South Africans.

27. The Centre is currently drafting a document on the conceptual framework and priorities for the implementation of assistance projects in South Africa. The document will be based on a review of available information on activities planned or already implemented in South Africa in the field of human rights with the support of non-governmental organizations or carried out by the Centre itself. Various suggestions have also been submitted in writing by many individuals and various institutions in South Africa. A round-table discussion was held to deal with suggestions already presented. The South African participants in the annual advanced-training programme on human rights took part in the round-table discussion.

28. The Centre for Human Rights, at the request of the United Nations Angola Verification Mission and in cooperation with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, organized a training programme at Luanda from 31 August to 4 September 1992 for officials in charge of national, provincial and municipal elections, members of political parties and non-governmental organizations, judges, government personnel and

representatives of the media. The objective of the programme was to help establish the machinery for free and fair elections and to foster respect for human rights in a democratic society. The programme illustrates the Centre's desire to help strengthen the electoral process and the growth of democracy in Angola. Emphasis was placed on the importance of respect for human rights and fundamental freedoms, as recognized in the Angola Peace Accords. The topics covered included the following: human rights, democracy and the peace process in Angola; the United Nations and human rights; equality and non-discrimination in the enjoyment of human rights; the African Charter on Human and Peoples' Rights; human rights, humanitarian rights and law pertaining to refugees; regional and subregional humanitarian arrangements for the promotion of human rights and democracy; development, sound management of public affairs and human rights, etc.

29. There are 51 States members of the Organization of African Unity (OAU). The number of those States which have ratified international human rights instruments is as follows: as at 31 July 1992, 32 States had ratified the International Covenant on Economic, Social and Cultural Rights; 30 had ratified the International Covenant on Civil and Political Rights; 19 had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; one State had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; 39 had ratified the Convention on the Rights of the Child; 32 had ratified the Convention on the Elimination of All Forms of Discrimination against Women; 24 had ratified the Convention on the Political Rights of Women; 13 had ratified the Convention on the Nationality of Married Women; and 12 had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

30. Forty-one States had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; 38 had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid; 20 had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; 44 had ratified the Convention relating to the Status of Refugees; and 46 had ratified the Protocol relating to the Status of Refugees. None of them had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

31. The two African States not members of OAU, namely, Morocco and South Africa, have ratified the following principal international human rights instruments: as at 31 July 1992, one State had ratified the International Covenant on Economic, Social and Cultural Rights; one State had ratified the International Covenant on Civil and Political Rights; neither State had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; neither State had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; neither State had ratified the Convention on the Rights of the Child; one State had ratified the Convention on the Elimination of All Forms of Discrimination against Women; and one State had ratified the Convention on the Political Rights of Women. Neither State had

ratified the Convention on the Nationality of Married Women or the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

32. One State had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; neither State had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid; one State had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; one State had ratified the Convention relating to the Status of Refugees; and one State had ratified the Protocol relating to the Status of Refugees. Neither of these two States had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

33. The following principal legal instruments relating to human rights have been adopted by OAU, a regional body established in 1963: the African Charter on Human and Peoples' Rights; the African Charter of the Rights and Welfare of the Child; and the Convention Concerning the Specific Aspects of Refugee Problems in Africa.

B. Asia and the Pacific

34. In 1991, the Centre for Human Rights continued its cooperation with the Executive Secretary of the Economic and Social Commission for Asia and the Pacific (ESCAP) and notified him of the contents of Commission on Human Rights resolution 1991/28 relating to regional arrangements for the promotion and protection of human rights in Asia and the Pacific. Pursuant to that resolution, the Secretary-General solicited information from United Nations development agencies in the region and consulted with States members of ESCAP. In the context of its cooperation with those States, and in order to strengthen the mechanisms for the promotion and protection of human rights and to provide adequate regional arrangements and machinery, the Centre for Human Rights has been organizing seminars, training courses and workshops in the region since 1982. A semirar was held in Colombo in 1982 and another in Bangkok in 1987. A workshop was organized in Jakarta on 21 and 22 January 1991 and a training course was held at Ulaanbaatar from 28 October to 1 November 1991.

35. In 1992, the Centre for Human Rights continued its cooperation with the States of the Asian and Pacific region. In collaboration with the Government of the Islamic Republic of Iran, the Centre organized a training course on the responsibility of States parties to submit reports on the implementation of international human rights standards, held at Tehran from 2 to 5 August 1992. In connection with the 1993 World Conference on Human Rights, the Asian Group has decided to organize a preparatory meeting in Bangkok in 1993 in the context of ESCAP.

36. There are 49 States in the Asian and Pacific region. The number of ratifications of international human rights instruments by those States is as follows: as at 31 July 1992, 21 States had ratified the International Covenant on Economic, Social and Cultural Rights; 20 had ratified the

International Covenant on Civil and Political Rights; six had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; two had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the dealth penalty: 24 had ratified the Convention on the Rights of the Child; 20 had ratified the Convention on the Elimination of All Forms of Discrimination against Women; 19 had ratified the Convention on the Political Rights of Women; and seven had ratified the Convention on the Nationality of Married Women.

37. Thirty-one States had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; 23 had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid; 29 had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; 13 had ratified the Convention relating to the Status of Refugees; and 11 have ratified the Protocol relating to the Status of Refugees. No State in the Asian and Pacific region had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

C. Europe

38. Collaboration between the Centre for Human Rights and the Council of Europe has continued to grow through a number of activities, organized by either the Centre or the Council. These activities comprise seminars and conferences, including those held in Strasbourg, Lisbon and Barcelona, and training courses and workshops. Such events have provided an opportunity for exchanges of information on the implementation of human rights standards and discussions on questions related to United Nations instruments, mechanisms and procedures and to regional mechanisms for the promotion and protection of human rights. Noteworthy among those events was the international meeting organized in Paris from 7 to 9 October 1991, in cooperation with the French National Consultative Commission on Human Rights, at which the following subjects were discussed: relations between national institutions and the State; relations between national institutions and non-governmental organizations; and functions and scope of national institutions.

39. The Council of Europe 2/ has 27 member States, including some States of Eastern Europe. The number of those member States which have ratified internationcal human rights instruments is as follows: as at 31 July 1992, 25 States had ratified the International Covenant on Economic, Social and Cultural Rights; 25 had ratified the International Covenant on Civil and Political Rights; 20 had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; nine had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; 18 had ratified the Convention on the Rights of the Child; 24 had ratified the Convention on the Elimination of All Forms of Discrimination against Women; 23 had ratified the Convention on the Political Rights of Women; 23 had ratified the Convention on the Nationality of Married Women; and 23 had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

40. Twenty-one of those States had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; six had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid; 23 had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; 27 had ratified the Convention relating to the Status of Refugees; and 27 had ratified the Protocol relating to the Status of refugees. None of them had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

41. The following principal legal instruments relating to human rights have been adopted by the Council of Europe, an organization for inter-European cooperation established in 1949: the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Additional Protocols (1 to 10), the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Social Charter, and the Additional Protocol to the European Social Charter.

42. Cooperation between the Centre For Human Rights and the Council of Europe for assistance to the countries of Central and Eastern Europe has also been strengthened. This assistance was provided in the form of conferences and training courses and workshops. Noteworthy examples were the National Workshop on International Human Rights Instruments and Reporting Obligations, organized in Moscow from 26 to 30 August 1991, the Conference on the Human Dimension which took place in Moscow in September 1991 and the training course for law-enforcement officials held in Valetta from 9 to 19 December 1991. The latter included specific sessions dealing with United Nations international human rights instruments, mechanisms and procedures and with the European regional system.

43. The 21 States not members of the Council of Europe have ratified the following principal international human rights instruments: by 31 July 1992, nine States had ratified the International Covenant on Economic, Social and Cultural Rights; nine had ratified the International Covenant on Civil and Political Rights; four had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; one had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; eight had ratified the Convention on the Rights of the Child; seven had ratified the Convention on the Elimination of All Forms of Discrimination against Women; six had ratified the Convention on the Political Rights of Women; six had ratified the Convention on the Nationality of Married Women; and seven had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

44. Seven of the States not members of the Council of Europe had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; seven had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid; nine had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; two had ratified the Convention relating to the Status of Refugees; and two had

ratified the Protocol relating to the Status of Refugees. None of them had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

D. The Americas

45. Cooperation between the Centre for Human Rights and the Inter-American Commission on Human Rights of the Organization of American States (OAS) was illustrated by the organization of training courses at Caracas (25-28 June 1991) and Brasilia (17-19 June 1991) and a Latin American seminar held at Santiago from 9 to 13 December 1991. The aim of these meetings was to create greater understanding of the problem of human rights in the region, to improve procedures and to examine the various systems for the promotion and protection of human rights, particularly in the inter-American system and the United Nations system. As part of their cooperation, the Centre for Human Rights and the Inter-American Commission on Human Rights are considering the possibility of establishing centres for human rights documentation and training in the region. Also, the Centre for Human Rights and the OAS secretariat came together at various human rights meetings. A United Nations technical conference on practical experience gained in achieving self-sufficient, lasting and environmentally friendly development was organized at Santiago from 18 to 22 May 1992 by the Centre for Human Rights in cooperation with the Chilean Government. It examined the traditional practices of indigenous peoples in regard to self-sufficient, lasting and environmentally friendly development and to preserving natural resources and restoring the environment, and considered ways of strengthening the self-sufficient, lasting and environmentally friendly development of the indigenous peoples. Within the framework of the World Conference on Human Rights scheduled for 1993, the Latin American Group decided to organize at San José, Costa Rica, from 3 November to 4 December 1992, a preparatory meeting to promote greater public awareness of human rights.

46. There are 35 States members of OAS. The number of those States which have ratified the international human rights instruments is as follows: as at 31 July 1992, 27 States had ratified the International Covenant on Economic, Social and Cultural Rights; 27 had ratified the International Covenant on Civil and Political Rights; 18 had ratified the Optional Protocol to the International Covenant on Civil and Political Rights; none of those States had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; 29 States had ratified the Convention on the Rights of the Child; 30 had ratified the Convention on the Elimination of All Forms of Discrimination against Women; 24 had ratified the Convention on the Political Rights of Women; 15 had ratified the Convention on the Nationality of Married Women; and 16 had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

47. Twenty-eight States had ratified the International Convention on the Elimination of All Forms of Racial Discrimination; 21 had ratified the

International Convention on the Suppression and Punishment of the Crime of Apartheid; 25 had ratified the Convention on the Prevention and Punishment of the Crime of Genocide; 21 had ratified the Convention relating to the Status of Refugees; and 23 had ratified the Protocol relating to the Status of Refugees. None of them had ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

48. The following principal legal instruments relating to human rights have been adopted by OAS: the American Declaration on the Rights and Duties of Man, the American Convention on Human Rights (the Pact of San José), the Inter-American Convention to Prevent and Punish Torture, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (the Protocol of San Salvador) and the Protocol aiming at the abolition of the death penalty.

Notes

1/ The following reports were submitted by the Secretary-General to the Commission on Human Rights at its forty-eighth session: report on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (E/CN.4/1992/24) and report on regional arrangements for the promotion and protection of human rights (E/CN.4/1992/58).

2/ Eight countries of Eastern Europe (Albania, Croatia, Estonia, Latvia, Lithuania, Romania, the Russian Federation and Slovenia) have the status of special guests of the Council of Europe. These countries have in fact applied for membership in the Council.

ANNEXES

Explanatory note

The annexes contain the status of ratifications of States parties by region of the world with regard to the international human rights instruments listed below.

1. International Covenant on Economic, Social and Cultural Rights.

2. International Covenant on Civil and Political Rights.

3. Optional Protocol to the International Covenant on Civil and Political Rights.

4. Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the Abolition of the Death Penalty.

5. International Convention on the Elimination of All Forms of Racial Discrimination.

6. International Convention on the Suppression and Punishment of the Crime of Apartheid.

7. Convention on the Prevention and Punishment of the Crime of Genocide.

8. Convention on the Rights of the Child.

9. Convention on the Elimination of All Forms of Discrimination against Women.

10. Convention on the Political Rights of Women.

11. Convention on the Nationality of Married Women.

12. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

13. Convention relating to the Status of Refugees.

14. Protocol relating to the Status of Refugees.

15. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Annex I

STATUS OF THE RATIFICATIONS BY STATES OF AFRICA ON THE PRINCIPAL INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

(As at 31 July 1992)

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Algeria	x	x a/	x		x b/	x	x					x c/	x	x	
Angola	x	x	x					x	x	x			x	x	
Benin	x	x	x			x		x	x				x	x	
Botswana					x			x	x			x	x	x	
Burkina Faso					x	x	x	x	x				x	x	
Burundi	x	x			x	x		x	x				x	x	
Cameroon	x	x	x		x	x						x	x	x	
Cape Verde					x	x		x	x				x	x	
Central African Republic	x	x	x		x	x		x		x				x	
Chad					x	x		x					x	x	
Comoros															
Congo	x	x a/	x		x	x			x	x			x	x	
Côte d'Ivoire	x	x			x			x					x	x	
Djibouti								x					x	x	
Egypt	x	x			x	x	x	x	x	x		x	x	x	
Equatorial Guinea	x	x	x					x	x				x	x	
Ethiopia					x	x	x	x	x	x			x	x	
Gabon	x	x			x	x	x		x	x			x	x	
Gambia	x	x a/	x		x	x	x	x					x	x	
Ghana					x	x	x	x	x	x	x		x	x	
Guinea	x	x			x	x		x	x	x		x	x	x	
Guinea-Bissau	x							x	x				x	x	
Kenya	x	x						x	x				x	x	
Lesotho					x	x	x	x		x	x		x	x	
Liberia					x	x	x		x	x	x	x			
Libyan Arab Jamahiriya	x	x	x		x	x	x		x	x	x				

.../...

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Madagascar	x	x	x		x	x		x	x	x			x		
Malawi								x	x	x	x		x	x	
Mali	x	x			x	x	x	x	x	x	x		x	x	
Mauritania					x	x		x		x			x	x	
Mauritius	x	x	x		x			x	x	x	x				
Morocco d/	x	x			x		x			x			x	x	
Mozambique					x	x	x						x	x	
Namibia					x	x		x							
Niger	x	x	x		x	x		x		x			x	x	
Nigeria					x	x		x	x	x			x	x	
Rwanda	x	x			x	x	x	x	x		x		x	x	
Sao Tome and Principe						x		x					x	x	
Senegal	x	x a/	x		x b/	x	x	x	x	x		x	x	x	
Seychelles	x	x	x		x	x	x	x	x			x	x	x	
Sierra Leone					x			x	x	x	x		x	x	
Somalia	x	x	x		x	x						x	x	x	
South Africa a/									x						
Sudan	x	x	x	x	x	x		x					x	x	
Swaziland					x					x	x			x	
Togo	x	x	x		x	x	x	x	x			x c/	x	x	
Tunisia	x	x			x	x	x	x	x	x	x	x a/	x	x	
Uganda	x				x	x		x	x		x	x	x	x	
United Republic of Tanzania	x	x			x	x	x	x	x	x	x		x	x	
Zaire	x	x	x		x	x	x	x	x	x			x	x	
Zambia	x	x	x		x	x		x	x	x	x		x	x	
Zimbabwe	x	x a/			x	x	x	x	x				x	x	
Number of States Parties	33	31	19	1	42	38	21	39	33	25	13	12	45	46	0

(Footnotes on following page)

(Footnotes to table)

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a/ Declaration recognizing the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

b/ Declaration recognizing the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

c/ Declaration recognizing the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

d/ Morocco and South Africa are not members of the Organization of African Unity (OAU).

Annex II

STATUS OF THE RATIFICATIONS BY STATES OF ASIA AND PACIFIC ON THE PRINCIPAL INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

(As at 31 July 1992)

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Afghanistan	x	x			x	x	x			x		x			
Australia	x	x	x	x	x		x	x	x	x	x	x	x	x	
Bahrain					x	x	x	x							
Bangladesh					x	x		x	x						
Bhutan								x	x						
Brunei Darussalam															
Cambodia	x	x			x	x	x		x						
China					x	x	x	x	x			x	x	x	
Democratic People's Republic of Korea	x	x					x	x							
Fiji					x		x			x	x		x	x	
India	x	x			x	x	x			x					
Indonesia								x	x	x					
Iran, (Islamic Republic of)	x	x			x	x	x						x	x	
Iraq	x	x			x	x	x		x						
Israel	x	x			x		x	x	x	x	x	x	x	x	
Japan	x	x							x	x			x	x	
Jordan	x	x			x	x	x	x	x				x		
Kiribati															
Kuwait					x	x		x							
Lao People's Democratic Republic					x	x	x	x	x	x					
Lebanon	x	x			x		x	x		x					
Malaysia											x				
Maldives					x	x	x	x							
Marshall Islands															
Micronesia, Federated States of															

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Mongolia	x	x	x		x	x	x	x	x	x					
Myanmar							x	x							
Nauru															
Nepal	x	x	x		x	x	x	x	x	x		x			
New Zealand	x	x a/	x	x	x		x		x	x	x	x b/	x	x	
Oman						x									
Pakistan					x	x	x	x		x					
Papua New Guinea					x		x			x			x	x	
Philippines	x	x a/	x		x	x	x	x	x	x		x	x	x	
Qatar					x	x									
Republic of Korea	x	x a/	x		x		x	x	x	x					
Samoa													x		
Saudi Arabia							x	x							
Singapore											x				
Solomon Islands	x				x					x					
Sri Lanka	x	x a/			x	x	x	x	x		x				
Syrian Arab Republic	x	x			x	x	x								
Thailand								x	x	x					
Tonga					x		x								
Tuvalu													x	x	
United Arab Emirates					x	x									
Vanuatu															
Viet Nam	x	x			x	x	x	x	x						
Yemen	x	x			x	x c/	x	x	x	x		x	x c/	x c/	
Number of States Parties	21	20	6	2	31	23	29	24	20	19	7	8	13	11	0

a/ Declaration recognizing the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

b/ Declaration recognizing the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

c/ Ratification, accession, approval, notification or succession acceptance or definitive signature which have been given only by the former Republic of Yemen.

Annex III

STATUS OF THE RATIFICATIONS BY STATES OF EUROPE OF THE PRINCIPAL INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

(As at 31 July 1992)

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Albania	x	x					x	x		x	x				
Armenia															
Azerbaijan															
Austria	x	x a/	x		x		x		x	x	x	x c/	x	x	
Belarus	x	x			x	x	x	x	x	x	x	x			
Belgium	x	x a/			x		x	x	x	x			x	x	
Bosnia and Herzegovina															
Bulgaria	x	x	x		x	x	x	x	x	x	x	x			
Croatia															
Cyprus	x	x	x		x		x	x	x	x	x	x	x	x	
Czechoslovakia	x	x a/	x		x	x	x	x	x	x	x	x	x	x	
Denmark	x	x a/	x		x b/	x	x	x	x	x	x	x c/	x	x	
Estonia	x	x	x		x	x	x	x	x			x			
Finland	x	x a/	x	x	x		x	x	x	x	x	x c/	x	x	
France	x	x	x		x b/		x	x	x	x		x c/	x	x	
Germany	x	x a/		x d/	x	x d/	x	x d/	x	x	x	x c/	x	x	
Greece	x				x		x		x	x		x c/	x	x	
Holy See															
Hungary	x	x a/	x		x b/	x	x	x	x	x	x	x c/	x	x	
Iceland	x	x a/	x	x	x b/		x		x	x	x		x	x	
Ireland	x	x a/	x				x		x	x	x		x	x	
Italy	x	x a/	x		x b/		x	x	x	x		x c/	x	x	
Kazakhstan															
Kyrgyzstan															
Latvia	x	x			x	x	x	x	x		x				
Liechtenstein												x c/	x	x	
Lithuania	x	x	x					x							
Luxembourg	x	x a/	x	x	x		x		x	x	x	x c/	x	x	
Malta	x	x a/	x		x			x	x	x	x	x c/	x	x	

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Monaco							x					x			
Netherlands	x	x a/	x	x	x b/		x		x	x	x	x c/	x	x	
Norway	x	x a/	x	x	x b/		x	x	x	x	x	x c/	x	x	
Poland	x	x a/	x		x	x	x	x	x	x	x	x	x	x	
Portugal	x	x	x	x	x		x	x	x			x c/	x	x	
Republic of Moldova															
Romania	x	x		x	x	x	x	x	x	x	x	x	x	x	
Russian Federation	x	x	x		x b/	x	x	x	x	x	x	x c/			
San Marino	x	x	x												
Slovenia	x	x a/			x	x	x	x	x						
Spain	x	x a/	x	x	x		x	x	x	x		x c/	x	x	
Sweden	x	x a/	x	x	x b/		x	x	x	x	x	x c/	x	x	
Switzerland	x	x										x c/	x	x	
Tajikistan															
Turkey							x		x	x		x c/	x	x	
Turkmenistan															
Ukraine	x	x a/	x		x	x	x	x	x	x	x	x			
United Kingdom	x	x a/			x		x	x	x	x		x b/	x	x	
Uzbekistan															
Yugoslavia	x	x			x	x	x	x	x	x	x	x	x	x	
Number of States Parties	34	34	24	10	29	13	32	26	31	29	23	30	27	27	0

a/ Declaration recognizing the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

b/ Declaration recognizing the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

c/ Declaration recognizing the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

d/ Ratification, accession, approval, notification or succession acceptance or definitive signature which have been given only by the former German Democratic Republic before reunification.

Explanatory notes

Member States of the Council of Europe

Austria, Bulgaria, Belgium, Cyprus, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, United Kingdom.

States which have a special status with the Council of Europe

Albania, Croatia, Estonia, Latvia, Lithuania, Romania, Russian Federation, Slovenia.

Member States of the Commonwealth of Independent States

Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

Others

Holy See, Monaco, Yugoslavia.

Annex IV

STATUS OF THE RATIFICATIONS BY STATES OF NORTH AMERICA, CARIBBEAN AND LATIN AMERICA OF THE PRINCIPAL INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

(As at 31 July 1992)

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Antigua and Barbuda					x	x	x		x	x	x				
Argentina	x	x a/	x		x	x	x	x	x	x	x	x c/	x	x	
Bahamas					x	x	x	x	x	x	x				
Barbados	x	x	x		x	x	x	x	x	x	x				
Belize								x	x			x	x	x	
Bolivia	x	x	x		x	x		x		x			x	x	
Brazil	x	x			x		x	x	x	x	x	x	x	x	
Canada	x	x a/	x		x		x	x	x	x	x	x c/	x	x	
Chile	x	x a/	x		x		x	x	x	x		x	x	x	
Colombia	x	x	x		x	x	x	x	x	x		x	x	x	
Costa Rica	x	x	x		x b/	x	x	x	x	x			x	x	
Cuba					x	x	x	x	x	x	x				
Dominica								x	x				x	x	
Dominican Republic	x	x	x		x			x	x	x	x		x	x	
Ecuador	x	x a/	x		x b/	x	x	x	x	x	x	x c/	x	x	
El Salvador	x	x			x	x	x	x	x				x	x	
Grenada	x	x					x	x							
Guatemala	x	x			x		x	x	x	x	x	x	x	x	
Guyana	x	x			x	x		x	x			x			
Haiti		x			x	x	x		x	x			x	x	
Honduras	x						x	x	x						
Jamaica	x	x	x		x	x	x	x	x	x	x		x	x	
Mexico	x	x			x	x	x	x	x	x	x	x			
Nicaragua	x	x	x		x	x	x	x	x	x	x		x	x	
Panama	x	x	x		x	x	x	x	x			x	x	x	
Paraguay	x	x						x	x	x		x	x	x	
Peru	x	x a/	x		x b/	x	x	x	x	x		x	x	x	

/...

STATES	RATIFICATIONS														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Saint Kitts and Nevis								x	x						
Saint Lucia					x					x		x			
Saint Vincent and the Grenadines	x	x	x		x	x	x		x						
Suriname	x	x	x		x	x							x	x	
Trinidad and Tobago	x	x	x		x	x		x	x	x	x				
United States of America	x	x					x			x				x	
Uruguay	x	x	x		x b/		x	x	x			x	c/ x	x	
Venezuela	x	x	x		x	x	x	x	x	x	x	x		x	
Number of States Parties	27	27	18	0	28	21	25	29	30	24	15	16	21	23	0

a/ Declaration recognizing the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

b/ Declaration recognizing the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

c/ Declaration recognizing the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.